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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 BARRY A POWELL,

8 Petitioner,

9 v.

10 MIKE OBENLAND,

11 Respondent.

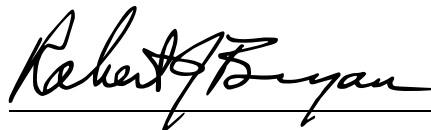
No. 3:17-CV-05341-RJB-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

12 The Court, having reviewed the Report and Recommendation of Magistrate Judge David
13 W. Christel, objections to the Report and Recommendation, if any, and the remaining record,
14 does hereby find and ORDER:

- 15 (1) The Court adopts the Report and Recommendation (Dkt. 21).
16 (2) Petitioner's federal habeas Petition is DISMISSED WITHOUT PREJUDICE.
17 Petitioner has made no showing that he has exhausted State remedies. *See* 28
18 U.S.C. §2254(b)(1)(A).
19 (3) The Clerk is directed to send copies of this Order to Petitioner, counsel for
20 Respondent, and to the Hon. David W. Christel.

21 **DATED** this 18th day of December, 2017.

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24 ROBERT J. BRYAN
25 United States District Judge
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